REMARKS/ARGUMENTS

This paper is in response to the Office Action of April 5, 2006 and the Examiner is thanked for the careful review of this Application. The due date for response is July 5, 2005.

Claims 1-5, 7-15, 17-21, and 23-25 are pending after entry of the present Amendment.

Claim Rejections - 35 U.S.C. § 103

Claims 1-5, 7-15, and 17-26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of "MiniDisc Manager - WinAmp Playlist Recorder ReadMe" by William Hollingsworth (Hollingsworth) and the article "Oscar Mp3 Player (2) Part 2 (final): operation and measurement results" by Kurpiers et al. (Kurpiers). These rejections are respectfully traversed.

Hollingsworth discloses a method to record audio files to a minidisc (MD) using MiniDisc Manager and WinAmp. The method consists of opening MiniDisc Manager and WinAmp. Adding the desired audio files into the WinAmp playlist and manually loading the WinAmp playlist into MiniDisc Manager. Once the WinAmp playlist is loaded into MiniDisc Manager the user can begin recording the audio files to the MD.

Kurpiers discloses a stand-alone MP3 player for the playback of MP3 files from a CD. Kurpiers also discloses saving a playlist with MP3 files when creating a CD and teaches the use of playlists found on CD's with MP3 files. As will be shown, the cited references in combination do not disclose or suggest each and every feature of the independent claims.

Independent claim 1 defines a method for recording audio files to optical media. The method initiates a project to record audio files to the optical media. The initiating of the project triggers a filter to identify only MP3 files. The method continues by browsing MP3 files at a source location and selecting MP3 files to record to a destination optical media. At a time when the MP3 files are selected to be recorded to a destination optical media, a playlist is automatically constructed from the selected MP3 files. Afterwards, the selected MP3 files and the playlist are recorded to the destination optical media.

Hollingsworth and Kurpiers combined do not disclose a method wherein at a time of selecting MP3 files, a playlist is automatically constructed of the selected MP3 files. Hollingsworth teaches creating a playlist within WinAmp, "In WinAmp add the required tracks to the playlist" (p. 3, para. 1, #3) and a two step process of loading the WinAmp playlist into MiniDisc Manager. The first step being, "In MiniDisc Manager, select "WinAmp Playlist recorder" from the "Playlist" menu" (p. 3, para. 1, #5). The second step being, "In the WinAmp Playlist Recorder dialog, press the "Get Playlist" to load the current CDJ playlist" (p. 3, para. 1, #6). Moreover, modifications to the WinAmp playlist are not automatically reflected in the MiniDisc Manager playlist, "If you edit the playlist in WinAmp, you can update it again by clicking the "Get Playlist" button" (p. 3, para. 1, #8). Hollingsworth fails to teach the automatic construction of a playlist as claimed because playlists must me manually imported and updated into MiniDisc Manager before they are recorded to the MD.

Using the features of the claimed invention, selecting an MP3 file to burn to compilation on an optical media would automatically include the file in the playlist burned to the optical media. Furthermore, unselecting or removing the MP3 file from the compilation would

automatically remove the file from the playlist and the removed song would not appear in the playlist saved to the optical media. Using the teachings of Hollingsworth would necessarily result in a different outcome. This is because with Hollingsworth, adding a file to the WinAmp playlist does not automatically result in the file being included in the playlist recorded on the minidisc by MiniDisc Manager. Because Hollingsworth fails to teach the feature of the claimed invention that automatically creating a playlist, users must manually import the WinAmp playlist to MiniDisc manager in order for the WinAmp playlist to be loaded into the MiniDisc Manager.

Assuming a playlist was manually imported to the MiniDisc manager as taught by Hollingsworth, if a file is deleted from the WinAmp playlist the Hollingsworth playlist would not automatically reflect the change. Because Hollingsworth fails to teach the feature of the claimed invention that automatically updates the playlist, users must manually update the MiniDisc Manager playlist for changes in the WinAmp playlist to be reflected in the MiniDisc Manager playlist.

Independent claims 10, 15, and 21 have been amended and for the same reasons discussed with respect to claim 1 are submitted to be allowable. Consequently, Applicants respectfully submit that the Hollingsworth and Kurpiers references in combination do not teach or suggest all of the features of the claimed inventions. Applicants respectfully request that the section 103(a) rejections with respect to independent claims 1, 10, 15, and 21 be withdrawn. In addition, the dependent claims are submitted to be allowable for at least the reasons discussed above for the independent claims.

In view of the foregoing, Applicants respectfully submit that the pending claims are in condition for allowance and therefore respectfully request a notice of allowance. Accordingly, a notice of allowance is respectfully requested. In the event a telephone conversation would

expedite the prosecution of this application, the Examiner may reach the undersigned at (408)

774-6911. If any additional fees are due in connection with the filing of this paper, then the

Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No.

ROXIP204). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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